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	IAGEMENT BOARD			
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Telephone: (916) 341-6068				
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STATE OF CALIFORNIA				
CALIFORNIA INTEGRATED \	WASTE MANAGEMENT BOARD			
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In the matter of:	)			
ROBERTO GONZALEZ d.b.a.  DISTINCTIRE,  UNREGISTERED WASTE AND USED	OAH No. 2007100898			
	ADMINISTRATIVE DECISION			
	PURSUANT TO STIPULATION			
TIRE HAULER	www.tgite.te/segmt tase! I/SEC / crescle I/Sec			
TPID NO: 1357696-01	AGENCY No: 2007-010975-ADC			
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RESPONDENT.	MESPONDENT failed faunts			
	and the state of t			
The CIWMB has authority to regulate	e and conduct enforcement actions regarding			
Amore, fraudest for logger 20 causes were recent	and stank bresteinerm, re. TVBUVASSI SV			
attendant regulations contained in Title 14 of the California Code of Regulations (CCR).				
The California Integrated Waste Management Board (CIWMB) served an				
Administrative Complaint and Request for Hearing form on ROBERTO GONZALEZ				
d.b.a. DISTINCTIRE (RESPONDENT), on August 17, 2007. RESPONDENT requested				
a hearing and the case was calendared for	-			
	Chief Counsel WENDY BRECKON SBN182952 Senior Staff Counsel Attorneys for Complainant CALIFORNIA INTEGRATED WASTE MAN 1001 I Street, 23 <sup>rd</sup> Floor P. O. Box 4025 Sacramento, CA 95812-4025 Telophone: (916) 341-6068 Facsimile: (916) 341-6082  STATE OF CALIFORNIA INTEGRATED V  In the matter of: ROBERTO GONZALEZ d.b.a. DISTINCTIRE, UNREGISTERED WASTE AND USED TIRE HAULER TPID NO: 1357696-01  RESPONDENT.  The CIWMB has authority to regulate Waste Tire Haulers within the State of California Integrated Waste Mar Administrative Complaint and Request for Holba. DISTINCTIRE (RESPONDENT), on A			

California Integrated Waste Management Board v. Roberto Gonzalez d.b.a. DISTINCTIRE, Administrative Decision

To avoid the uncertainties of litigation, RESPONDENT negotiated a Stipulation for

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Issuance of Administrative Decision (Stipulation) with the CIWMB to resolve the issues in the Administrative Complaint. The Board Members of the CIWMB hereby adopt the Stipulation. Pursuant to the Stipulation, and good cause appearing therefore, the following Stipulated Factual Findings and Conclusions of Law are made, and the following Stipulated Order is issued:

### STIPULATED FACTUAL FINDINGS

- The Administrative Complaint was executed by WENDY BRECKON,
   Senior Staff Counsel, CIWMB, acting in her official capacity.
- RESPONDENT is responsible for the transportation of more than nine waste or used tires by a person not holding a valid waste tire hauler registration from the CIWMB.
- RESPONDENT was previously registered as a waste tire hauler with
   CIWMB in 2005 and 2006, but did not renew his waste tire hauler registration for 2007.
- 4. On January 18, 2007, the CIWMB notified RESPONDENT, by letter sent by U.S. Mail to 13329 East Imperial Highway, Whittier, CA 90605, that RESPONDENT'S CIWMB waste tire hauler registration was cancelled, and that it is unlawful to haul waste tires without a CIWMB registration.
- RESPONDENT failed to inform CIWMB of the business's change of address prior to June 2007.
- 6. During the period from January 9, 2007 through June 11, 2007, RESPONDENT, an unregistered waste tire hauler, hauled at least 25 loads with more than 9 waste tires as indicated in the table that follows:

Transaction Date	CTL Trip Number	Quantity Of Tires (PTEs)	End Use Facility
06/05/07 3377964		46	CRM Col, LLC 15800 South Avalon Blvd. Compton CA 90220

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Transaction Date	CTL Trip Number	Quantity Of Tires (PTEs)	End Use Facility
06/05/07	3377964	185	Henry Tires 14020 Pioneer Blvd. Norwalk, CA 90650
06/05/07	3377964	243	Imperial Tires 14321 Imperial Blvd. La Mirada, CA 90638
06/08/07	3377965	236	CRM Col, LLC 15800 South Avalon Blvd. Compton CA 90220
06/07/07	3377965	105	Purrfect Auto Service 2323 So. Azusa, West Covina, CA
06/08/07	3377966	199	CRM Col, LLC 15800 South Avalon Blvd. Compton CA 90220
06/08/07	3377966	6	Brea Auto Service 265 W. Central Brea, CA
06/18/07	3377966	42	Brea Tire Warehouse 867 Lambert Road La Habra CA 90638
06/11/07	3377967	250	CRM Col, LLC 15800 South Avalon Blvd. Compton CA 90220
06/11/07	3377967	218	Lamb's Auto Service East Colima Road Rowland Heights, CA 91748
06/06/07	3377974	235	CRM Col, LLC 15800 South Avalon Blvd. Compton CA 90220
06/06/07	3377974	140	Sosa Tires 8728 Norwalk Whittier CA
06/07/07	3377975	246	CRM Col, LLC 15800 South Avalon Blvd. Compton, CA 90220
06/06/07	3377975	155	7 Days Tire Center 1511 S. Main Street Santana CA 92707

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Transaction Date	CTL Trip Number	Quantity Of Tires (PTEs)	End Use Facility
06/05/07	3377976	232	CRM Col, LLC 15800 South Avalon Blvd. Compton, CA 90220
06/04/07	3377976	56	Independent Car Service 1042 Winners Circle Los Alamitos, CA 90720
06/04/07	3377976	23	Drift Speed 11082 Winner's Circle Los Alamitos, CA 90702
06/04/07	3377977	242	CRM Col, LLC 15800 South Avalon Blvd. Compton CA 90220
06/04/07	3377977	180	New Century Tire 15145 Beach Bivd. Westminster, CA 92683
06/04/07	3377978	82	CRM Col, LLC 15800 South Avalon Blvd. Compton CA 90220
06/01/07	3377978	185	Tire Pros 18302 Ward St., Fountain Valley, CA 92708
06/01/07	3377978	100	Quality Firestone 18342 Knott Ave., Garden Grove, CA 92841
06/01/07	3377979	2.51	CRM Col, LLC 15800 South Avalon Blvd., Compton CA 90220
05/23/07	3377979	12	Brea Auto Service 265 W. Central, Brea, CA
06/05/07	3377979	100	New Century Tire 15145 Beach Blvd, Westminster, CA 92683

On or about June 19, 2007, CIWMB staff spoke with RESPONDENT. 7. CIWMB staff informed RESPONDENT that he was not registered as a Waste tire Hauler, and therefore could not legally haul waste tires until such time as he was registered.

RESPONDENT registered as a waste and used tire hauler on July 11, 2007.

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## STIPULATED LEGAL CONCLUSIONS

- RESPONDENT is in violation of PRC section 42951, which makes it unlawful to engage in the transportation of waste tires unless holding a valid Waste Tire Hauler Registration, unless exempted as specified in PRC section 42954.
- 10. The CIWMB's authority to assess administrative penalties against RESPONDENT as a waste tire hauler is set forth in PRC section 42962 and in Title 14 of the California Code of Regulations (CCR) section 18464.
- Pursuant to 14 CCR section 18464, the penalty tables for tire haulers, the negotiated penalty of \$4,000.00, with \$3,000.00 held in abeyance for two (2) years, is within the CIWMB's discretion.

#### ORDER

The CIWMB adopts and approves of the terms of the Stipulation and the following order is hereby made:

ROBERTO GONZALEZ d.b.a. DISTINCTIRE, is ordered to pay an administrative penalty of one thousand dollars (\$1,000) to the CIWMB according to the terms of the Stipulation.

This DECISION shall become effective Minus 19, 2018.

Dated this \_\_\_\_\_\_ day of \_\_\_\_\_ february 2008.

MARGO REID BROWN

Chair

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

# STIPULATED LEGAL CONCLUSIONS

13 Pursuant for M-CCR section 18464, the penalty tables for the natives; the security of \$4,000 00, with \$3,000 00, held in abeysnice for two (2) years, as wifeen the CRVME's distribute.

## VIBRAG

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MARGO REIU BROWN ,
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